

**Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2811**

PATENT
ATTORNEY DOCKET: 46884-5451

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Katsumi SHIBAYAMA) Confirmation No.: 8454
Application No.: 10/565,945) Group Art Unit: 2811
Filed: April 17, 2006) Examiner: Cathy N. Lam
For: BACKSIDE-ILLUMINATED)
PHOTODETECTOR)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Final Office Action dated April 28, 2009.
 2. Additional papers enclosed:

- Statement of Substance of Examiner Interview
- Replacement Drawings: ___ sheets, ___ figures
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$ 245.00
<input type="checkbox"/> three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/> four months	\$ 1,730.00	\$ 865.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	7	minus	20	0	x \$52 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$220 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$390.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by $\frac{1}{2}$ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- No fee is to be paid at this time.
- A fee in the amount of \$ _____ for the _____-extension of time filing fee is to be charged to a credit card. WARNING: Information on this form may become public. **Credit card information should not be included on this form.**
- The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


Paul A. Fournier
Registration No. 41,023

Dated: July 1, 2009

By:

Customer No. 055694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W. Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 842-8465